

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

GENOVEVO ALVAREZ-RONQUILLO,

Petitioner,

v.

No. CV 21-962 KG/CG  
(No. CR 19-3240 KG/CG)

UNITED STATES OF AMERICA,

Respondent.

**ORDER EXTENDING DEFENDANT'S TIME TO ANSWER**

**THIS MATTER** is before the Court on Defendant's *Motion for Extension of Time to File a Response to Petitioner's Motion to Vacate Convictions Under 28 U.S.C. § 2255* (the "Motion"), (Doc. 6), filed October 8, 2021. In the Motion, Defendant states that counsel is "currently involved in trial preparation" for a trial beginning on November 1, 2021, which is "expected to last up to three weeks." (Doc. 6 at 1). Defendant also states that it "will need additional time to obtain and review the pertinent transcripts in preparation of its response" to Mr. Alvarez-Ronquillo's *Motion to Vacate Convictions Under 28 U.S.C. § 2255*, (CV Doc. 1); (CR Doc. 87). *Id.*

Mr. Alvarez-Ronquillo filed no response to the Motion, and the time for doing so has now passed. See D.N.M.LR-Civ. 7.4(a) ("A response must be served and filed within fourteen (14) calendar days after service of the motion."). Under Local Rule 7.1(b), "[t]he failure of a party to file and serve a response in opposition to a motion within the time prescribed for doing so constitutes consent to grant the motion." The Court will therefore **GRANT** the Motion.

**IT IS THEREFORE ORDERED** that the United States must **FILE** a response to Mr. Alvarez-Ronquillo's *Motion to Vacate Convictions Under 28 U.S.C. § 2255*, (CV

Doc. 1); (CR Doc. 87), by no later than **January 7, 2022**.

**IT IS SO ORDERED.**

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', written over a horizontal line.

THE HONORABLE CARMEN E. GARZA  
CHIEF UNITED STATES MAGISTRATE JUDGE